

**THE WOODLANDS TOWNSHIP
BOARD OF DIRECTORS
WORKSHOP MEETING
SEPTEMBER 15, 2011
MINUTES**

**THE STATE OF TEXAS §
COUNTIES OF HARRIS & MONTGOMERY §**

The Board of Directors of The Woodlands Township met in regular session, open to the public, on September 15, 2011, posted to begin at 7:30 a.m. The workshop session was held in a meeting room at the office of The Woodlands Township, Board Chambers, 10001 Woodloch Forest Drive, Suite 600, The Woodlands, Texas, within the boundaries of The Woodlands Township.

DIRECTORS PRESENT: Chairman Bruce Tough, Vice Chairman Lloyd Matthews, Secretary Claude Hunter, Treasurer Ed Robb, Director Tom Campbell, and Director Peggy Hausman

DIRECTORS ABSENT: Director Nelda Blair

STAFF/ADVISORS: Don Norrell, President/General Manager, John Powers, Assistant General Manager Community Services, Monique Sharp, Assistant General Manager of Finance & Administration, Fire Chief Alan Benson, Susan Welbes, Director of Human Resources, Nick Wolda, Director of Community Relations/CVB President, Karen Dempsey, Management Analyst, Mary Connell, Manager of Community Relations, and Bret Strong, Legal Counsel

Pledge of Allegiance:

Director Campbell led the Pledge of Allegiance to the United States flag and Texas State flag.

Call to Order:

Chairman Tough called the workshop session to order at 7:34 a.m. and declared that notice of this meeting was posted 72 hours in advance at the Courthouses of Montgomery and Harris Counties and inside the boundaries of The Woodlands Township at the office building located at 10001 Woodloch Forest Drive, Suite 600, The Woodlands, Texas. As there was a quorum of members present, the Board proceeded to conduct business regarding the following matters.

Consider and act upon adoption of the meeting agenda:

Chairman Tough requested that the following items be taken out of order:

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- Move Item #18 regarding the conceptual design of Central Fire Station and Item #17 regarding approval of the 2010 Comprehensive Annual Financial Report before discussion of Potential Consent Agenda Items

MOTION: Motion by Secretary Hunter to adopt the agenda as presented with the changes above; second by Vice Chairman Matthews

VOTE: **Ayes:** Chairman Tough
 Vice Chairman Matthews
 Secretary Hunter
 Treasurer Robb
 Director Campbell
 Director Hausman

Nays: None

Abstentions: None

Absent: Director Blair

ACTION: Motion passed unanimously (6-0).

Recognize Public Officials:

No public officials were recognized.

Public Comment:

The following member of the public addressed the Board:

- Sonia Woodfell- questions regarding construction on Technology Forest Dr. (handout material)

The Public Comment Sign-In Sheet and handout material are attached hereto as Exhibit "A."

Receive, consider and act upon approval of the conceptual design of Central Fire Station:

Chairman Tough called on Fire Chief Alan Benson to introduce Carl Joiner, Project Architect. Mr. Joiner provided the Board with handout material followed by a review of additional design concepts for Central Fire Station. Mr. Joiner commented that the new designs incorporated design changes based on comments that were received from the Board at last month's meeting when the original concept design was first presented. Board discussion followed. This item will be brought forward to the September 21, 2011 regular Board meeting for consideration and action under the Regular Agenda.

Handout material is attached hereto as Exhibit "B."

Note: Chairman Tough requested that item "h" under the Potential Consent Agenda be presented at this time.

Receive, consider and act upon award of contract for Construction Manager at Risk (CMAR) for Central Fire Station:

Carl Joiner, Project Architect, provided handout material to the Board and then reviewed selection criteria used for Construction Manager at Risk (CMAR) candidates. Mr. Joiner commented that the top three finalists were selected based on the selection criteria point tabulation results. The top three contractors were: Durotech-97.68 points, Teal Construction-86.95 points and Gilbane-76.60 points. Board discussion followed. This item will be brought forward to the September 21, 2011 regular Board meeting for consideration and action under the Consent Agenda.

Copies of handout material are attached hereto as Exhibit "C."

Receive, consider and act upon a recommendation from the Audit Committee regarding approval of the 2010 Comprehensive Annual Financial Report (CAFR);

Monique Sharp provided background information on this item and noted that the Audit Committee met on September 12, 2011 to review the 2010 Audit Report with the auditors. Ms. Sharp then introduced Mr. Terry Frederick, Audit Partner with Blazek & Vetterling, LLP and Ann Noller, Audit Manager with Blazek & Vetterling, LLP. Mr. Frederick provided the Board with a draft report of the CAFR and then reported on the audit findings. The audit identified two deficiencies that were immediately corrected. Board discussion followed. Chairman Tough acknowledged Tom Campbell, Chair of the Audit Committee, who made a recommendation that the Board approve the 2010 CAFR. This item will be brought forward to the September 21, 2011 regular Board meeting for consideration and action under the Regular Agenda.

A draft copy of the 2010 Comprehensive Annual Financial Report is attached hereto as Exhibit "D."

POTENTIAL CONSENT AGENDA:

(This agenda consists of non-controversial or "housekeeping" items required by law that will be placed on the Consent Agenda at the next Board Meeting and may be voted on with one motion. Items may be moved from the Consent Agenda to the Regular Agenda by any Board Member making such request.)

Receive, consider and act upon approval of the minutes of the August 11, 2011 Budget Public Hearing, August 11, 2011 Tax Increase Public Hearing, August 16, 2011 Budget Public Hearing, August 16, 2011 Tax Increase Public Hearing, August 18, 2011 Board Workshop, August 24, 2011 Special Board Budget Workshop, August 24, 2011 Regular Board Meeting of the Board of Directors of The Woodlands Township;

Chairman Tough asked the Board to review the minutes in preparation for the September 21, 2011 regular Board meeting. Corrections to the August 11, 2011 Budget Public Hearing minutes and August 24, 2011 Special Board Budget Workshop Matrix were noted. The minutes, with corrections, will be brought forward to the September 21, 2011 regular Board meeting for consideration and action under the Consent Agenda.

Receive, consider and act upon a proclamation in support of National Night Out;

John Powers presented a summary of this item with a recommendation that the Board proclaim October 4, 2011 as National Night Out in The Woodlands Township. Board discussion followed. The proclamation will be read on October 4, 2011. This item will be brought forward to the September 21, 2011 regular Board meeting for consideration and action under the Consent Agenda.

Receive, consider and act upon a proclamation in support of International Walk to School Month;

Lynne Aldrich, Environmental Services Manager for The Woodlands Township, presented a summary of this item with a recommendation that the Board proclaim October as International Walk to School Month in The Woodlands, Texas. Board discussion followed. This item will be brought forward to the September 21, 2011 regular Board meeting for consideration and action under the Consent Agenda.

Receive, consider and act upon conveyance of Restricted Open Space Reserves (ROSR) in the Village of Creekside Park: Section 1 ROSR E; Section 3 ROSRs A, B, C & D; Section 4 ROSRs E,

H, I & K; Section 5 ROSR D; Section 6 ROSRs A, B, E, F, G, H & I; Section 7 ROSRs A, B, C, D, E & G; and Section 8 ROSRs A, C, E, F & G;

John Powers provided a summary of this item with a recommendation that the Board accept conveyance by special warranty deed of the following Restricted Open Space Reserves (ROSRs) all in the Village of Creekside Park: Section 1, ROSR E; Section 3, ROSRs A, B, C & D; Section 4, ROSRs E, H, I & K; Section 5, ROSR D; Section 6, ROSRs A, B, E, F, G, H & I; Section 7, ROSRs A, B, C, D, E, & G; Section 8, ROSRs A, C, E, F & G from The Woodlands Land Development Company, L.P. as presented and upon removal of the construction debris and dead trees identified by the Township Parks and Recreation Department. Board discussion followed. This item will be brought forward to the September 21, 2011 regular Board meeting for consideration and action under the Consent Agenda.

Receive, consider and act upon approval of an addition to the Park and Pathway Maintenance Agreement with BIO Landscape for pathways in the Village of Creekside Park;

John Powers provided a summary of this item with a recommendation that the Board approve the addition to the Park and Pathway Maintenance Agreement with BIO Landscape & Maintenance, Inc. for pathways in the Village of Creekside Park for \$148 per year. Board discussion followed. This item will be brought forward to the September 21, 2011 regular Board meeting for consideration and action under the Consent Agenda.

Receive, consider and act upon award of bids for Falconwing Park Clearing and Paving;

John Powers provided a summary of this item with a recommendation that the Board accept the bid from Ramm construction for the clearing and paving portion of the project in the amount of \$43,769.20 and authorize the President/General Manager to approve the purchase order; approve an additional \$5,000 budget amendment from the Parks and Recreation 2011 operating budget to the Parks and Recreation 2011 capital budget, to be matched with an equal amount by Interfaith of The Woodlands for construction of a parking lot at Falconwing Park and authorize the President/General Manager to execute a Joint Use Access Agreement. Board discussion followed. This item will be brought forward to the September 21, 2011 regular Board meeting for consideration and action under the Consent Agenda.

Receive, consider and act upon amendment to the contract with ICTX-Wavemedia Inc, Dark Fiber & Internet Circuit pertaining to the relocation and colocation of circuits at 2891 Technology Forest Boulevard;

William Pham, IT Manager for The Woodlands Township, provided a summary of this item with a recommendation that the Board approve the amendments to the contract with ICTX-Wavemedia Inc. pertaining to a) the relocation/colocation of dark fiber and Internet circuits and b) changing the entity name on the contract from The Woodlands Community Service Corporation to The Woodlands Township, and authorize the President/General Manager of The Woodlands Township to executed the agreements in connection therewith. Board discussion followed. This item will be brought forward to the September 21, 2011 regular Board meeting for consideration and action under the Consent Agenda.

BRIEFINGS:

Receive and consider a presentation regarding lighted street signs in the Town Center;

John Powers provided an update on this item. Mr. Powers informed the Board that the overall maintenance cost for 31 illuminated street signs in Town Center is projected to be \$17,000 over a five-year period or approximately \$550 per sign over the same period. To date, no maintenance expenses have been incurred. Board discussion followed. This item was for information sharing only.

Receive and consider a presentation regarding The Woodlands Land Development Company Parks and Pathways capital projects:

John Powers provided background information and then introduced Bob Bruce, Recreation Facility Development Manager with The Woodlands Development Company and Buck Driggers, Vice-President of Residential Sales & Development with The Woodlands Development Company. A PowerPoint presentation was made on new Parks & Pathways in Creekside Forest Village. Following the presentation, Board discussion followed. This item was for information sharing only.

Note: The Board recessed for ten minutes at 9:30 a.m. and reconvened in Public Session at 9:40 a.m.

Receive and consider an update regarding the Governance Planning Process for The Woodlands:

Karen Dempsey presented background information and then introduced Audra Koester Thomas with Partners for Strategic Action, Inc. Ms. Thomas provided the Board with an Outreach Summary and then gave a PowerPoint presentation that focused on the following: Gap Analysis Outreach Report, Financial Analysis Process and Next Steps. Board discussion followed Ms. Thomas' presentation. This item was for information sharing only.

Chairman Tough then led discussion regarding the date and time for a Special Board meeting to discuss the assumptions that will be used in the financial model for the Governance Planning Process. Following discussion, October 20, 2011 at 1:00 p.m. was set as the date and time to hold this meeting.

A copy of the Outreach Summary is attached hereto as Exhibit "E."

Receive and consider a presentation from Information Technology regarding Geographic Information System (GIS) technology:

William Pham gave a PowerPoint presentation on some of the applications of the Geographic Information System technology. Board discussion followed. This item was for information sharing only.

Receive and consider a briefing regarding the status of The Woodlands Township's proposed Series 2011 Bond issuance:

Monique Sharp was called on to present this item. Ms. Sharp provided the Board with a draft calendar related to The Woodlands Township's Unlimited Tax Bonds, Series 2011. Ms. Sharp provided an update on the Bonds and then reviewed a timeline of events as outlined on the financing schedule. Ms. Sharp pointed out that the Board will consider and act upon several items at the September 21, 2011 regular Board meeting under the Regular Agenda. Board discussion followed. This item was for information only.

The Financing Schedule for The Woodlands Township's Unlimited Tax Bonds, Series 2011 is attached hereto as Exhibit "F."

Note: A request was made to allow Public Comment at this time. The following motion and second were then offered:

MOTION: Motion by Director Hausman to receive Public Comment; second by Director Campbell

VOTE: **Ayes:** Chairman Tough
 Vice Chairman Matthews
 Secretary Hunter
 Treasurer Robb
 Director Campbell

Director Hausman
Nays: None
Abstentions: None
Absent: Director Blair

ACTION: Motion passed unanimously (6-0).

Mr. Galen Evans provided Public Comment regarding concerns related to gray colored stop sign posts in Cochran's Crossing off of Rainbow Ridge. Mr. Evans commented that he does not see a need for the signs, that they are unsightly and that they are a waste of taxpayer money. It was the decision of the Board to place this item on the September 21, 2011 regular Board meeting agenda as a Briefing Item.

Discussion of education opportunities for Board members:

Don Norrell provided background information on a request made by Secretary Hunter to attend an Association of Water Board Directors conference. Secretary Hunter was given an opportunity to speak on this subject as well. Following Board discussion, the decision was made to place this item on the September 21, 2011 regular Board meeting agenda for consideration and action under the Regular Agenda.

Discussion of fire preparedness issues:

Chairman Tough called on Chief Alan Benson to present this item. Chief Benson made a PowerPoint presentation regarding issues surrounding Wild Land and Urban Interface as they exist. Discussion focused on current/forecast conditions, statistical data, and information related to The Woodlands Township's preparedness and action plan should a fire situation occur. Board discussion followed. Director Campbell asked if the Township could ban any open flames in the parks. Don Norrell called on John Powers to address this question. Mr. Powers stated that the Township does have the ability to make an Order of this nature on Township property. Following discussion, it was the decision of the Board to place this item on the September 21, 2011 regular Board meeting agenda for consideration and action under the Regular Agenda.

POTENTIAL REGULAR AGENDA:

(This agenda consists of items that will be placed on the Regular Agenda at the next Board of Directors' meeting.)

Receive, consider and act upon approval of property and liability insurance from October 1, 2011 to September 30, 2012;

Monique Sharp informed the Board that quotes are still being received. This item will be brought forward to the September 21, 2011 regular Board meeting for consideration and action under the Regular Agenda.

Receive, consider and act upon approval of an agreement regarding Waterway Square Fountain song programming;

Don Norrell provided a summary of this item with a recommendation that the Board approve the proposal with REDE Solutions Inc. for programming 10 songs per year over a three year period for the Fountains at Waterway Square and authorize the President/General Manager to sign the three year agreement in connection therewith. Board discussion followed. This item will be brought forward to the September 21, 2011 regular Board meeting for consideration and action under the Regular Agenda.

Receive, consider and act upon election issues related to Senate Bill 100:

Karen Dempsey provided a summary of this item with a recommendation that the Board approve the continuation of May elections utilizing the Montgomery County Elections Office, through a service agreement to be acted upon prior to calling the election each year. Board discussion followed. This item will be brought forward to the September 21, 2011 regular Board meeting for consideration and action under the Regular Agenda.

CLOSED MEETING (if applicable):

Recess at 11:24 a.m. to Executive Session to discuss matters relating to real property pursuant to §551.072, Texas Government Code; deliberation of economic development negotiations pursuant to §551.087, Texas Government Code; discuss personnel matter pursuant to §551.074, Texas Government Code; and to consult with The Woodlands Township's attorney concerning pending litigation pursuant to §551.071, Texas Government Code;

Reconvene in Public Session at 12:10 p.m.;

Chairman Tough announced that it would not be necessary to take action at this time on matters discussed in Executive Session.

Receive, consider and act upon adoption of a resolution regarding acceptance of plan sponsorship of The Woodlands Fire Department 401(k) Plan and approve actions necessary for retirement benefits effective January 1, 2012;

Chairman Tough informed the Board that this item will be brought forward to the September 21, 2011 regular Board meeting for consideration and action under the Regular Agenda.

Receive, consider and act upon a project change for 2801 Technology Forest Boulevard;

Chairman Tough informed the Board that this item will be brought forward to the September 21, 2011 regular Board meeting for consideration and action under the Regular Agenda.

Note: At this time, consideration of the next item on the Potential Regular Agenda was temporarily postponed. Chairman Tough then called on John Powers to present the Community Services report.

ADMINISTRATIVE REPORTS:

Community Services: presented by John Powers

- *Watch Talk Wednesday*-September 28, 2011 presentation on Driving Safety;
- "Public Safety Student Awareness"-15 students received a presentation by the Montgomery County Sheriff's Office Identification Section-Crime lab;
- Community Involvement Day to be held September 17, 2011 at Shadowbend Park for Sylvan Forest neighborhood in the Village of Cochran's Crossing;
- Development Standards Committee recently granted final approval to two new commercial projects: Dairy Queen on the corner of Grogan's Mill Road and S. Millbend; three story office building on Evergreen Circle;
- National Night Out-Tuesday, October 4, 2011;
- Fall Flea Market-Saturday, September 17, 2011 from 7-10 a.m.;

- Environmental Services hosting a public forum regarding Safe Routes to School on Thursday, September 22, 2011 at The Woodlands High School and Woodlands Landscaping Solution on Saturday, September 24, 2011 at the PARDES campus on Millennium Forest Drive;
- ConocoPhillips Pipe Line Company conducting an internal inspection of their pipeline that runs through The Woodlands;
- The Woodlands Township designated as a Bicycle Friendly Community and Runner Friendly Community;
- Ten for Texas will be held on October 8, 2011 at 7:30 a.m. beginning at Market Street;
- Increased number of trees dying due to drought conditions; Year to Date 2,628 hazard trees have been removed from Township property with an additional 497 trees currently tagged for removal;
- The Woodlands Township will have two employee teams participating in the YMCA Dragon Boat Team Challenge September 23-25, 2011

Note: Next, Chairman Tough called on Susan Welbes to present the following item:

POTENTIAL REGULAR AGENDA (CONT.)

Receive, consider and act upon an amendment to The Woodlands Township pay structure;

Susan Welbes provided a summary of this item with a recommendation that the Board approve the amendment of The Woodlands Township Pay Structure as presented and authorize staff to proceed with recruitment of the Facility Maintenance Engineer and the Town Center Facilities and Operations Superintendent in 2011. Board discussion followed. It was the decision of the Board to place this item under the Consent Agenda for the September 21, 2011 regular Board meeting.

ADMINISTRATIVE REPORTS (CONT.):

Community Policing: presented by Marian Leck

- Staffing-all positions filled; Deputy Fadi Rizk promoted to Detective and Deputy Hopper will fill this position;
- MCSO 2011 Staffing-3 additional personnel in 2011 (1 Sr. Sgt., 1 Sgt., 1 Deputy);
- Harris County Constable's Office-Precinct 4-no major incidents reported; continue to work in school zones to assist in traffic challenges;
- Crime Status and Trends-Deputy Uber and K-9 Bowie had 10 deployments and assisted in the arrest of 3 misdemeanors; working on Crime Stoppers Tips involving narcotics in The Woodlands Township;
- Large number of District 6 deputies have completed DNA evidence collection training;
- Participated in Tax Free Weekend;
- Crime Prevention, Community & Tourism Oriented Policing class to be held September 20-23, 2011 at The Woodlands Training Center;
- Working Live @ Night event on Saturdays from September 10-October 1, 2011;
- Several agencies participating in National Night Out;
- Thank you to everyone who participated in Public Safety Awards event

The Woodlands Fire Department:presented by Chief Benson

- Thank you for Public Safety Awards event
- 9-11 Remembrance Service was very nice; showed a 90 second clip from this event
- Grand Opening of Fire Station #8 to be held on Monday, September 19, 2011

The Woodlands Convention & Visitors Bureau:

- Two Waterway Cruisers are currently undergoing refurbishment in Kemah, TX;
- New mobile site on CVB website;
- Destination Marketing-strong ad efforts;
- Labor Day event was a huge success
- Upcoming events: Live @ Night concerts, 10 for Texas, Wildflower Festival, Taste of the Village, October Fest, Trick or Treat Trail will be held in Town Green Park, Children's Festival, Holidays in The Woodlands (Lighting of the Doves, iWOW and Ice Rink)

DISCUSS FUTURE AGENDA/ANNOUNCEMENTS:

Consideration of items to be placed on the agenda for next month's meeting:

- **Treasurer Robb**-would like to learn more about who owns public art in The Woodlands Township;

Board announcements:

- **Secretary Hunter**-provided information regarding Magnolia Improvement District Project which will affect traffic in the Ken Lakes Drive area; has a link on his website to view renovations of the Waterway Cruisers
- **Director Hausman**-received a request from CERT unit that they would like to assist with fire deployment; Fall Flea Market on September 17, 2011

Public comment; and

- None

Adjourn

As there was no further business to discuss, Chairman Tough called for a motion and second to adjourn the meeting at 12:30 p.m.

MOTION: Motion to adjourn by Treasurer Robb; second by Secretary Hunter

VOTE: **Ayes:** Chairman Tough
 Vice Chairman Matthews
 Secretary Hunter
 Treasurer Robb
 Director Campbell
 Director Hausman

Nays: None

Abstentions: None

Absent: Director Blair

ACTION: Motion passed unanimously (6-0).





Claude Hunter
Secretary, Board of Directors

Board of Directors
Workshop Meeting
September 15, 2011

EXHIBIT OMISSIONS*

EXHIBIT "A"

EXHIBIT "B"

EXHIBIT "C"

EXHIBIT "D"

EXHIBIT "E"

EXHIBIT "F"

***To view Exhibits, please contact the Records Management Analyst at 281-210-3800.**